## STATE OF MONTANA

# RMTD

# Risk Management & Tort Defense Division FY2007



# Property/Casualty Insurance

## November 2006

Department of Administration ♦ Risk Management & Tort Defense Division P.O. Box 200124 ♦ Helena, Montana ♦ 59620-0124 (406)444-2421 www.rmtd.mt.gov

## TABLE OF CONTENTS

PROGRAM INFORMATION	3
GLOSSARY	4
INSURANCE PROCUREMENT AND ADMINISTRATION	5
PRIMARY AND EXCESS INSURANCE	5
SUMMARY OF POLICIES, LIMITS, AND DEDUCTIBLES	7
INSURANCE COVERAGE SUMMARIES	8
Aircraft	8
Airport	
Auto Comprehensive/Collision	
Auto Liability	
Boiler & Machinery	
Crime	
Fine Art	13
General Liability	15
Miscellaneous	15
Property	17
PREMIUM DISCOUNTS	19
LOSS PREVENTION	22
RISK EXPOSURE REPORTING	23
CLAIMS REPORTING	39

## **Program Information**

## PROGRAM DESCRIPTION

The Risk Management & Tort Defense Division (RMTD) provides a broad array of services designed to protect state agencies and universities from the adverse effects of claims and losses.

We Provide cost-effective, quality legal defense.

We Evaluate and resolve claims filed against the state in a timely and cost-effective manner.

We Administer a cost effective and comprehensive property/casualty insurance program for state agencies and universities. Most coverages, except workers' compensation and employee benefits, are centrally purchased by RMTD.

We Consult with state agencies and provide loss prevention training and guidelines to mitigate risk and reduce exposure to claims and losses.

Administration	Ext.			
Division Administrator-Brett Dahl	3687			
Chief Defense Counsel- <u>Bill</u> <u>Gianoulias</u>	2438			
Accounting Technician- <u>Cathy</u> <u>Meidinger</u>	3600			
Administrative Assistant- <u>Jodi</u> <u>Wilcox</u>	9843			
Legal Secretary-Lori Caplis	2512			
Legal Defense				
Associate Counsel-Vacant	3558			
Associate Counsel- <u>Mike King</u>	2403			
Associate Counsel-Rebekah French	4507			
Associate Counsel- <i>Vacant</i>				
Legal Investigator-Ruth Friesen	3562			
Legal Investigator- <u>Lonnie</u> <u>Browning</u>	2485			
Loss Control				
Property- <u>Aric Curtiss</u>	3486			
Auto, Other-John Duezabou	0195			
Insurance/Finance				
Division Administrator-Brett Dahl	3687			
Risk Finance Specialist-Kristie Rhodes	4509			
Property/Liability Claims				
Senior Claims Adjuster- <u>Marjorie</u> <u>Adams</u>	2422			
Claims Specialist- <u>Jennie Younkin</u>	7996			

## Glossary

**Accident** means a sudden and accidental breakdown of an object, or a part thereof, which manifests itself at the time of an occurrence by physical damage to the object or part thereof.

**Actual cash value** means the historical purchase price of a property or object less accumulated depreciation.

**Aircraft** means any fixed wing aircraft or rotorcraft reported by a state agency and includes propulsion, operating, navigation, and radio systems usually attached thereto.

**Airport** means the airport reported by each agency, the ways and means immediately adjoining thereto, and including other premises used by the state in connection with the business of the state.

**Automobile** means a land motor vehicle, trailer, or semi-trailer designed for travel on public roads including any attached machinery or equipment. However, automobile does not include "mobile" equipment.

**BTU** (**British Thermal Unit**) means the amount heat necessary to raise one pound of water one degree Fahrenheit.

**Claim** means a claim against the state for monetary damages, which any person is legally entitled to recover as damages because of personal injury or property damage caused by a negligent act or wrongful act or omission of the state.

**Disappearance** means missing and not reported by 30 days after commencing the last known flight for purposes of aviation insurance.

**Federal Aviation Administration** means the duly constituted authority of the United States of America having jurisdiction over civil aviation, or its duly constituted equivalent in any other country.

**Fine art** means any object of rare and historic value including, but not limited to, bronzes, statues, paintings, clothing, furniture, valuable papers, artifacts, etc.

**In-motion** means while the aircraft is moving under its own power or the momentum generated there from

or while it is in flight and, if the aircraft is a rotorcraft, any time that the rotors are rotating.

**Legal liability** means a claim or lawsuit for personal injury or property damage that arises from a negligent act or omission of the state.

**Market value** means the price a willing buyer would pay for an object given its fair market value and considering depreciation and other factors.

**Mobile Equipment** means a land vehicle, to include machinery or any apparatus attached thereto, whether or not self-propelled, which is not subject to motor vehicle registration, maintained for use exclusively on premises owned by or rented to the State of Montana.

**Money** means currency, coins, bank notes in current use and having a face value, travelers checks, register checks and money orders held for sale to the public.

**Occurrence** means an accident, including continuous or repeated exposure to conditions, which results in bodily injury or property damage during the policy period.

**Passenger** means any person in, on, or boarding the aircraft for the purpose of riding or flying therein or alighting there from after a flight or attempted flight therein for purposes of aviation insurance.

**Personal injury** means any injury resulting from libel, slander, malicious prosecution, false arrest, bodily injury, sickness, disease, or death sustained by any person and caused by an occurrence for which the state may be held liable.

**Property damage means** any injury or destruction to tangible property including the loss of use thereof, caused by an occurrence for which the state may be held liable.

**Replacement cost value** means the lesser of the cost to repair or replace an object with like and similar kind and quality to comply with building code.

## **Insurance Procurement & Administration**

#### Overview

In accordance with 2-9-201, MCA, RMTD administers a comprehensive insurance plan for state agencies. The plan includes auto, aviation, liability, property, and any other policies of insurance that the division deems reasonable after consultation with state agencies. Agencies shall not purchase insurance without the prior approval of RMTD.

Commercial insurance is periodically bid on a competitive basis through an insurance agent. The inception date of the state's commercial insurance policies coincides with the fiscal year (i.e. July 1<sup>st</sup>). Most insurance policies expire on June 30th but 'rollover' to the next fiscal year on July 1<sup>st</sup>.

## **Primary and Excess Insurance**

In order to maintain cost-effective insurance protection, the state purchases commercial insurance on an 'excess basis.'

Excess insurance 'sits above' primary insurance and features high deductibles, broader coverage, and higher policy limits. Excess insurance is specifically designed to protect the state from catastrophic losses such as flood or earthquake.

A pictorial of the state property/casualty insurance program may be found on page 6 of this booklet. A detailed summary of insurance coverage, policy limits, and deductibles may be found on page 7.

#### **General Provisions**

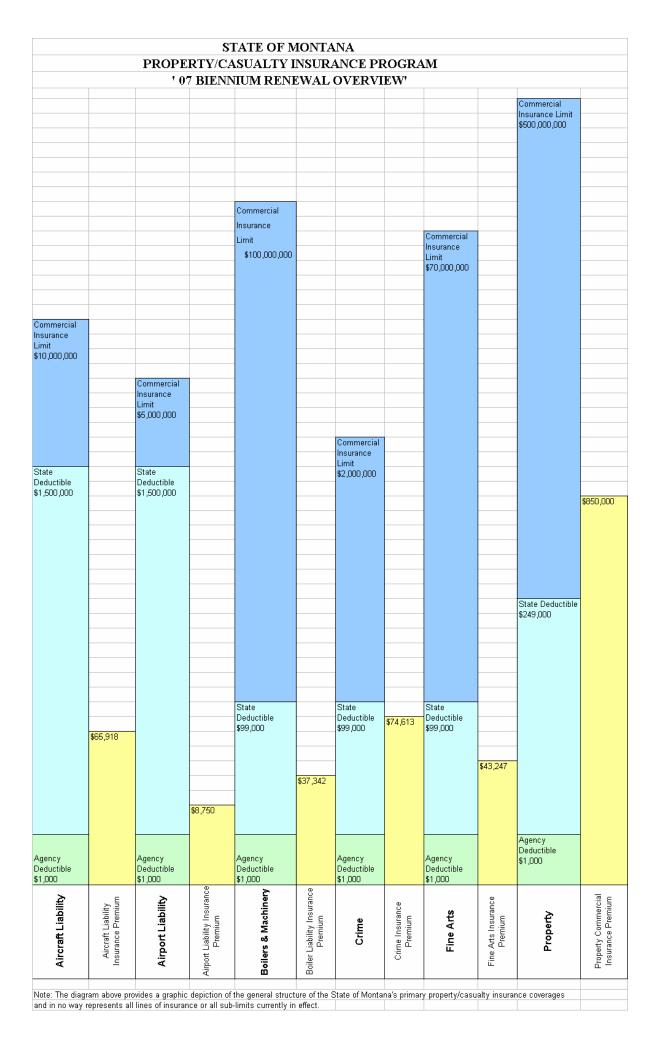
The insurance policies described in this booklet cover claims subject to the general conditions of coverage, covered locations, causes, activities, deductibles, and limits as indicated hereafter. All coverage is mandatory and requires agency participation UNLESS otherwise indicated as 'optional.'

The information provided in this booklet is intended to assist state agencies to understand 'general' concepts and principles. The information does not alter or limit the provisions of the state's insurance policies or statutes. Do not attempt to interpret policy provisions.

Please contact our <u>Insurance Staff</u> at (406)444-2421 if you have additional questions.

More specific information about insurance may be obtained from the division's website at http://rmtd.mt.gov/insurance/default.asp

- 1. **Assignment:** State agencies shall not prejudice the state's interest in a claim by assigning it to any other person or entity.
- 2. **Notification:** State agencies shall notify the Risk Management and Tort Defense Division of the claim within 5 business days. Claims not reported within 60 days may not be paid.
- Defense: State agencies shall cooperate reasonably in the defense of a case.
- 4. **Risk Exposure Data:** State agencies must provide annual Risk Exposure Reports to the Risk Management & Tort Defense Division as required by the state's commercial insurers.
- 5. Remittance: Premiums, co-insurance, and deductible billing information will be sent to each state agency at the beginning of the biennium. State agencies shall remit paid premiums to the Risk Management and Tort Defense Division by September 1<sup>st</sup> of each fiscal year.
- 6. **Renewal:** All self-insurance policies are continuous unless notice is otherwise provided to state agencies. All commercial insurance policies are subject to renewal annually.
- 7. **Territory:** Coverage is generally provided for state agencies in the U.S. and Canada, provided that claims are made or suits are settled within theses territories. For coverage outside of these territories, please contact the Risk Management & Tort Defense Division.
- 8. Course and Scope of Employment: In accordance with §2-9-305, MCA, a state employee is not be covered under the state's insurance plan if the conduct upon which the claim is based constitutes a criminal offense, the employee compromises or settles the claim without the consent of the state, or the employee fails to cooperate in the defense of the claim.



#### Montana State Government Summary of Limits & Deductibles July 1, 2006 to July 1, 2007

Deductibles Line of Insurance Per Claim Commercial Carrier Оссштепсе Commercial Coverages: Accidental Death \$250 \$50,000 claim Medical expense AIG Insurance & Dismemberment \$10,000 claim Death benefit (Montana University Broker: Willis System Volunteers) Aircraft Physical Damage KL Specialty \$1,000 5% of stated value In-Motion \$1,000 \$1.000 Broker: Mountain Air Aviation Not-in-motion Aircraft Liability Bodily injury XL Specialty (Varies by Agency) 750 000 claim \$0 Personal Injury Broker: Mountain Air Aviation XL Specialty \$10,000,000 occurrence 1 500 000 occurr Property damage Bodily injury. Airport Liability (Varies by Agency) 750.000 claim \$0 Personal Injury \$5,000,000 occurrence 1,500,000 occurr Broker: Mountain Air Aviation Property damage Varies by Object Boiler & Machinery \$100,000,000 occurrence American Casualty of Reading, PA Equipment breakdown and type of damage \$100,000,000 occurrence Property damage \$5,000,000 occurrence Business interruption (Broker: Driver Alliant Insurance Services) Fine Arts \$1,000 \$99.000 \$80,000,000 occurrence Named locations AXA Art Corporation \$80,000,000 occurrence \_egal liability \$20,000,000 occurrence Unnamed locations \$20,000,000 occurrence In-Transit worldwide 10% of the value occurrence Debris removal \$25,000 occurrence Registration papers Broker: Willis Fine Arts Solutions Foreign Insurance Varies by policy Varies by policy Varies by policy, occurrence Foreign general iability ACE (Montana Univ. System) Foreign auto liabliity Kidnap & ransom Broker: Willis Crime \$1,000 \$500,000 \$10,000,000 occurrence Public employee dishonesty Great American \$10,000,000 occurrence Faithful performance \$10,000,000 occurrence Theft, disappearance, destruction \$10,000,000 occurrence Forgery/alteration \$10,000,000 occurrence Computer fraud Broker: Willis NAS Insurance Services HIPPA \$5,000 n/a \$500,000 occurrence HIPPA fines/violations (University of Montana) Defense costs Broker: Willis \$500,000,000 occurrence Blanket limit of liability Property exinton \$1,000 \$249,000 Automatic coverage. Newly acquired loyd's of London \$10,000,000 occurrence \$200,000,000 occurrence \$1,000 \$999 000 Farth movement Commonwealth \$249,000 andmark American \$1,000 \$50,000,000 occurrence Builder's risk \$10,000,000 occurrence \$1,000 \$249,000 Ordinance/law Arrowhead Companies \$249,000 \$500,000,000 occurrence \$1,000 √aluable papers \$1,000 \$249,000 \$500,000,000 occurrence Accounts receivable \$1,000 \$249,000 \$25,000,000 occurrence Extra expense \$250,000 occurrence \$1,000 \$249,000 Pollutant cleanup removal \$25,000,000 occurrence \$1,000 \$249,000 Error/omissions \$1,000 \$249,000 \$10,000,000 occurrence Service interruption \$25,000,000 conveyance \$1,000 \$249,000 Transit \$1,000 \$249,000 \$100,000,000 occurrence Blanket business income \$1,000 \$249,000 \$500,000,000 occurrence Electronic data processing media \$1,000 \$499,000 \$100,000,000 occurrence Flood \$500,000,000 occurrence \$1,000 \$249,000 Debris removal (additional) \$1,000 \$249,000 \$1,000,000 occurrence International limit Broker: Driver Alliant Insurance Services DNRC fire trucks Medical Prof. Liability \$1,000,000 occurrence American Casualty of Reading, PA Bodily injury, personal injury, property (Montana Univ. System) \$5,000,000 aggregate Broker: Willis damage Surety Bond Varies by agency Varies by agency Patient Funds in Trust Funds in trust Funds in trust Hartford (DPHHS) Broker: Willis RiderCourse (motorcycle \$2,000,000 occurrence iability Chubb Custom Insurance Company safety training) \$50 \$10,000 claim Blanket accident (medical) Life Insurance Company of North America Office of Public Instruction \$50 \$1,000 claim Blanket accident (dental) ACV/repair/replace vehicle Physical damage to vehicles Broker: Arthur J. Gallagher & Company 20% Self-Insured Coverages: Aircraft hull (various) Physical damage n/a in-motion \$1,000 5% of stated value stated value occurrence Hull for various aircraft n/a not-in-motion \$1,000 5% of stated value stated value occurrence Hull for various aircraft n/a \$750.000/\$1.5M claim/occ Auto liability \$0 \$750,000/\$1.5M Negligent acts or omissions n/a Comprehensive/collision \$250 ACV/repair/replace ACV/repair/replace vehicle Physical damage to vehicles n/a Foster care \$100 \$2,500/\$1.5M \$2,500/\$100,000 claim/occ Third parties/foster parents n/a General liability \$750 000/\$1 5N \$750,000/\$1.5M claim/occ \$0 Negligent acts or omissions n/a \$1,000 \$249,000 Inland marine occurrence Physical damage. n/a \$150,000 occurrence \$750,000/\$1.5M claim/occ Snowmobile equipment \$1,000 Physical damage for groomers n/a \$750.000/\$1.5M \$0 Third parties (exceptions) Negligent acts of omissions n/a

## **Aircraft**

Insurer: XL Specialty

**Insurance Agent**: Mountain Air Insurance Services

Term: 7/1 to 6/30

## **Property Covered:**

Aircraft hulls (i.e. physical damage) provided they are reported to the Risk Management & Tort Defense Division.

## **Liability Covered:**

- 1. Legal liability to others, including passengers, arising from use of state-owned aircraft.
- 2. Legal liability to others, including passengers, arising from use of non-owned aircraft. Coverage for non-owned aircraft is automatic provided that the use is for less than 90 days during the fiscal year.
- 3. Hull liability for use of non-owned aircraft, other than legal liability, provided that the aircraft are reported to the Risk Management & Tort Defense Division.

## **Other Coverages:**

- 1. Temporary use of substitute aircraft.
- 2. Contractual liability, in exceptional circumstances, if associated with the state's mission in accordance with §2-9-305, MCA. 'Non-state employee pilots must be approved by the Risk Management & Tort Defense Division.
- 3. Search and rescue for disappearance of aircraft and personnel.
- 4. Automatic liability coverage for newly acquired aircraft provided that the aircraft has 10 seats or less, has "Standard" Airworthiness certificates, and is reported within 90 days from the date of acquisition.

## **Key Exclusions:**

Wear and tear, mechanical breakdown, war, radiation, embezzlement, conversion, use of aircraft with more than 10 passenger seats, improper FAA pilot certification, improper airworthiness certification, chemicals disbursed by an aircraft, noise pollution, contamination, electrical interference.

## Valuation of Property:

The lesser of the reported value of the aircraft, including upgrades, or the actual cost to repair or replace.

## **Policy Limits:**

- \$ 250,000 per occurrence, search & rescue
- \$ 1,500,000 per occurrence, liability (primary)

\$10,000,000 per occurrence, liability (excess)

For hull coverage, the policy limit is the lesser of the agency's reported value or the actual cost to repair or replace.

## **Deductibles:**

#### **State Agencies**

Liability: Not applicable

Hull: 5% 'in-motion,' not to exceed \$1,000

## Risk Management & Tort Defense Division

Liability: \$1,500,000 Hull: Excess of \$1,000

## **Airport Liability**

Insurer: XL Specialty

**Insurance Agent**: Mountain Air Insurance Services

**Term**: 7/1 to 6/30

#### **Liability Covered:**

- 1. Airport operations (i.e. maintenance, baggage handling, ticketing, runway repair, etc.)
- 2. Goods or products manufactured, sold, handled, or distributed
- 3. Service operations
- 4. Construction and demolition hazards
- 5. Hangar keeper liability for aircraft, which are the property of others including 'in-flight'

## **Key Exclusions:**

- Any obligation for which the state or participating carriers may be held liable under any workers' compensation, occupational disease, disability benefit, or unemployment compensation insurance.
- 2. Bodily injury or property damage by reason of intoxication, furnishing alcoholic beverages, or any statute or regulation relating to the sale, gift, distribution, or use of alcoholic beverages.
- 3. Property owned, rented, leased, for sale, or entrusted by the state except as respects hangar keepers liability or vehicles, goods, merchandise, or baggage not owned by the state in the care, custody, and control of the state.
- 4. The existence, maintenance, operation, use, loading, or unloading of aircraft owned by, hired by or for, or loaned to the state, or in flight by the state.
- 5. Bodily injury cause by any automobile off airport premises. Bodily injury caused by ships, vessels, craft, or boats owned by the state. Bodily injury arising out of goods or products manufactured, sold, handled, or distributed by the state until such time as said goods have been relinquished by the state.
- 6. Bodily injury or property damage on the airport while in response to an aviation emergency off of the airport.
- 7. Bodily injury or property damage caused by liability assumed by the state under contract.
- 8. War, hijacking, noise pollution, or pollution of any kind.
- 9. Claims involving instructions given from a control tower.

#### **Policy Limits:**

\$1,500,000 per occurrence (primary) \$5,000,000 per occurrence (excess)

## **Deductibles:**

State Agencies
Not applicable

Risk Management & Tort Defense Division

\$1,500,000 per occurrence

## **Auto Physical Damage/Liability (Optional)**

**Insurer:** The State of Montana is self-insured.

**Insurance Agent:** Not applicable

Term: Continuous

## **Property Covered:**

- 1. Physical damage to market value. Private rental cars and Department of Transportation (Helena), Motor Pool vehicles do not need to be reported provided that they are leased for less than 30 days.
- 2. All other vehicles must be reported in order for coverage to apply.

## **Liability Covered:**

- 1. All vehicles and all state agencies.
- 2. Negligent acts or omissions provided they arise while using the state vehicle in an official capacity as defined in the state vehicle use rule <a href="http://arm.sos.mt.gov/2/2-267.htm">http://arm.sos.mt.gov/2/2-267.htm</a>.

#### **Key Exclusions:**

- 1. Personal injury or property damage covered under a separate worker's compensation, auto, fire, property, or general liability policy.
- 2. Conduct of a state employee if it constitutes a criminal offense.
- 3. Conduct upon which a claim against a state employee is based if it constitutes oppression, fraud, malice, or for any other reason does not arise out of the course and scope of employee's employment (§2-9-305, MCA).
- 4. Liability assumed under contract.
- 5. Employee failure to cooperate reasonably in the defense of the case.
- Employee compromised or settled the claim without the consent of the Risk Management & Tort Defense Division.

#### **Policy Limits:**

\$750,000 per claim, \$1,500,000 per occurrence for liability (§2-9-108,MCA). For comprehensive/collision coverage the limit is a reasonable determination of the vehicle's market value (actual cash value).

#### **Deductibles:**

Liability: Not applicable.

Comprehensive/collision: \$250 unless the agency participates in the state's high deductible program.

## **Boilers & Machinery**

Insurer(s): Lexington Insurance Company and CNA Insurance Company

Insurance Agent/Broker: Driver Alliant Insurance Services (Newport Beach, CA.)

Term of Coverage: 7/1 to 6/30 each fiscal year

## **Property Covered:**

- 1. Boilers, fired vessels, unfired vessels normally subject to vacuum or internal pressure other than weight of contents, refrigerating and air conditioning vessels and any metal piping and its accessory equipment.
- 2. Mechanical or electrical machine or apparatus used for the generation, transmission or utilization of mechanical or electric power (i.e. air conditioners, furnaces, and production machinery).

#### **Cause of Loss Covered:**

Sudden and accidental breakdown of an insured object or part of the object, with physical damage that requires repair or replacement.

Key Exclusions: Exclusions are as indicated below, but are not all included.

- 1. Nuclear hazard
- 2. War and Military action
- 3. Explosion, except from an explosion from a state object.
- 4. Earth movement
- 5. Testing of equipment
- 6. Lack of power
- 7. Loss covered by other insurance.
- 8. Due diligence for loss for failure to use reasonable means to resume business.

#### Valuation of Property:

At the time of accident the cost to repair or replace the property with like size, kind and quality of equipment. Business income lost for the time to repair or replace equipment and resume operations.

## **Policy Limits:**

- 1. \$ 1.000,000 Hazardous Substances
- 2. \$ 1,000,000 Ordinance or Law
- 3. \$ 1,000,000 Perishable Goods
- 4. \$ 2,000,000 Electronic Data Processing Media
- 5. \$ 10,000,000 Service Interruption
- 6. \$ 10,000,000 Water Damage
- 7. \$ 10,000,000 Consequential Damage
- 8. \$ 10,000,000 Demolition/Debris Removal
- 9. \$ 10,000,000 Ammonia Contamination
- 10. \$ 10,000,000 Water Damage
- 11. \$ 100,000,000 Breakdown, Extra Expense, etc.

#### **Deductibles:**

#### State Agencies

\$1,000 per occurrence.

#### Risk Management & Tort Defense Division

Excess of \$1,000. Varies by Object.

## **Crime**

**Insurer**: Great American Insurance Company

Agent/Broker: Willis of Seattle

Term: 7/1 to 6/30 each fiscal year

Property Covered: Money, securities, and other convertible instruments and property other than money and

securities.

#### Causes of Loss Covered:

- 1. Employee dishonesty (for money, securities, and other than money and securities), including faithful performance of duty.
- 2. Forgery or alteration of checks, drafts promissory notes, or similar written promises.
- 3. Computer fraud for fraudulent transfer of money and securities and other than money and securities.
- 4. Theft, disappearance, and destruction of money and securities.

#### **Key Exclusions:**

- 1. Governmental action, loss from seizure or destruction of property by order of the government.
- 2. Expenses related to legal action
- 3. Indirect loss
- 4. Nuclear and radioactive contamination
- 5. War and war like action
- 6. Employee cancelled under prior insurance, may not be covered under existing policy.
- 7. Inventory shortage that is dependent on computation of profit or loss.
- 8. Loss caused by an employee required by law to be individually bonded.
- 9. Loss caused by treasurer or tax collector.
- 10. Damages for which the state is legally liable as a result of (1) deprivation or violation of civil rights of any person or (2) tortuous conduct of any employee, except conversion of property of other parties.

**Valuation of Property**: Face value of money, securities or other property lost in U. S. currency at the rate of exchange on the day the loss was discovered. Replacement in kind of bonds and securities within certain limitations. Other property at replacement cost value.

## **Policy Limits:**

\$10,000,000 Public Employee Dishonesty and Faithful Performance \$10,000,000 Faithful Performance \$10,000,000 Forgery or Alteration \$10,000,000 Theft and Destruction \$10,000,000 Computer Fraud

Deductibles: \$100,000 per incident

State Agencies

\$1,000 per occurrence

Risk Management & Tort Defense Division

Varies by Object

## Fine Art

**Insurer**: AXA Art Corporation

Agent/Broker: Willis of Seattle

**Term of Coverage**: 7/1 to 6/30 each fiscal year

**Property Covered**: Paintings, etchings, drawings, rare books, manuscripts, rugs, tapestries, statuary, and other bona fide works of art, or rarity, historic value, or artistic merit of all kinds, which is:

- 1. Property of the state.
- 2. Property of others on loan to the state.
- 3. Property of others offered as gifts to the state.
- 4. Property of others loaned to the state for which the state has been instructed to insure on premises and while in transit.

**Liability Coverage**: This policy covers the liability of the state as bail or of all loaned properties for which the state has been instructed to insure.

Cause of Loss Covered: All risk of direct physical loss from any external cause except as excluded within the policy form.

**International Transportation Coverage**: The policy covers property of state and others that the state has been instructed to insure while at locations outside of the United States and Canada and while in transit.

**Key Exclusions**: The policy has the following primary exclusions amongst others within the policy itself.

- 1. Wear and tear, gradual deterioration, moths, vermin, inherent vice, or loss sustained due to or resulting from any repairing, restoration, or retouching process.
- 2. Hostile or warlike action.
- 3. Loss or damage to property shipped under "on deck" Bills of Lading.
- 4. Nuclear loss.

**Valuation of Property**: Current market value at the time the damage occurs. Property acquired: Current market value at time of loss. Property on loan: Value agreed upon between owners and state provided it does not exceed market value.

## **Policy Limits:**

\$20,000,000 unnamed locations \$20,000,000 transit worldwide \$80,000,000 named locations \$80,000,000 legal liability

#### **Deductibles:**

State Agencies

\$1,000 per occurrence

Risk Management & Tort Defense Division

\$100,000 per occurrence

## **General Liability**

Insurer: The State of Montana is self-insured.

Insurance Agent: Not applicable

Term: Continuous

**Liability Covered**: Defense against claims or lawsuits arising from products, premises, operations, directors and officers, medical professional, law enforcement professional, other licensed professional, employment practices, and other tort exposures provided the activity is official state business (§2-9-305, MCA).

Agencies Covered: All state agencies and employees as defined in §2-9-101, MCA.

**Acts Covered**: All negligent acts of state employees provided they are acting in an official capacity on behalf of the state (§2-9-305, MCA).

## **Key Exclusions:**

- 1. Any personal injury or property, which may be, covered under a separate workers' compensation, auto, fire, property, or general liability policy.
- 2. The conduct of the employee constitutes a criminal offense.
- 3. The conduct upon which a claim is based constitutes oppression, fraud, malice, or for any other reason does not arise out of the course and scope of employee's employment (§2-9-305, MCA).
- 4. Liability assumed under contract.
- 5. The employee failed to cooperate reasonably in the defense of the case.
- The employee compromised or settled the claim without the consent of the Risk Management & Tort Defense Division.

Policy Limits: Statutorily defined at \$750,000 per claim, \$1,500,000 per occurrence (§2-9-108, MCA).

**Deductibles**: Not applicable.

## **Miscellaneous**

## **Foreign Insurance**

**Insurer**: ACE

Agent/Broker: Willis of Seattle

Terms of Coverage: 7/1 to 6/30 each fiscal year

Causes of Loss Covered: Foreign auto liability, foreign general liability and physical damage, and foreign kidnap

& ransom.

**Policy Limits**: Varies by policy. **Deductibles**: Not applicable.

## Health Insurance Portability and Accountability Act (HIPPA) (Optional)

Insurer: NAS Insurance Services, Encino, California.

Agent/Broker: Willis of Seattle.

**Term of Coverage**: 7/1 to 6/30 each fiscal year.

Liability Coverage: Reimbursement for defense costs associated with violations of HIPPA.

Causes of Loss Covered: Reimbursement for governmental fines associated with violations of HIPPA.

**Panel Attorneys**: 100% reimbursement for fines and defense costs if panel attorneys as selected by NAS insurance services are utilized. Otherwise, applicable costs are reimbursed only to 75%.

Perils Excluded: The policy has the following primary exclusions among others within the policy itself.

- 1. Insurance disputes
- 2. Expenses or fines initiated by insured.
- 3. Defenses costs associated with criminal prosecution.
- 4. Acts prior to the inception date of the policy, which were known and concealed.
- 5. Arising from other than an insured event.
- 6. Exemplary, punitive, or related damages.
- 7. Professional liability
- 8. Medical malpractice

Policy Limits: \$500,000 per occurrence.

**Deductibles:** 

State Agencies

\$1,000 per occurrence

Risk Management & Tort Defense Division

\$5,000 per occurrence

## **Professional Liability (Interns)**

**Insurer**: CNA Insurance

Agent/Broker: Willis of Seattle

Term of Coverage: 7/1 to 6/30 each fiscal year

**Liability Coverage**: Personal injury, bodily injury, and property damage arising from student participation in professional internships in fulfillment of academic curriculum requirements. The state is named as 'additional insured.'

Causes of Loss Covered: Negligent acts and omissions.

Policy Limits: \$1,000,000 per occurrence, \$5,000,000 aggregate per year.

**Deductibles:** Not applicable.

## **Surety Bond (Optional)**

Insurer: Hartford Insurance Company

Agent/Broker: Willis of Seattle

Term of Coverage: 7/1 to 6/30 each fiscal year

Cause of Loss Covered: Patient funds lost, misappropriated, or mismanaged at state institutions.

**Coverage**: The surety reimburses patients for funds lost or misappropriated and then seeks reimbursement from the institution in which the funds were entrusted.

Policy Limits: Amount of patient funds held in trust as reported by each institution.

**Deductibles:** Not applicable

## **Property**

**Insurer(s)**: Lexington, Lloyd's of London, AXIS, Commonwealth, Essex, RLI, RSUI, Arrowhead Companies, CNA.

Agent/Broker: Driver Alliant Insurance Services (Newport Beach, California).

Term: 7/1 to 6/30 each fiscal year

#### **Cause of Loss Covered:**

All risk of direct physical loss, subject to exclusions. Coverage includes, but is not limited to: fire, explosion, windstorm, hail, riot, vandalism and malicious mischief, earthquake, and flood.

#### **Property Covered:**

- 1. All real and personal property owned or leased by the state or for which the state is legally obligated to insure.
- 2. Vehicles garaged at state locations if they are reported to the Risk Management & Tort Defense Division.
- 3. Business income
- 4. Electronic data processing media/equipment
- 5. Extra and expediting expenses
- 6. Landscaping, golf courses, athletic fields, tunnels, bridges, catwalks, dams, catwalks, jewelry, furs, precious metals, stones, watercraft (to 27 feet), and rolling stock (i.e. light rail trains and tracks). Special reporting provisions apply.

## Key Exclusions (Perils): The policy does not insure against loss resulting by any of the following:

- 1. Loss or damage caused by or resulting from moth, vermin, termites or other insects, inherent vice, latent defect, faulty workmanship, error in design or materials, wear and tear and gradual deterioration, contamination, pollution, corrosion, rust, wet or dry rot, mold, dampness of atmosphere, smog or extremes of temperature.
- 2. Delay or loss of markets
- Infidelity or any dishonesty on part of the insured, including inventory shortage or unexplained disappearance
- 4. Loss from nuclear perils
- 5. Loss from war, rebellion, insurrection or by order of any government or public authority.
- 6. Loss or damage to personal property caused by processing, renovating, repairing or faulty workmanship.
- 7. Loss or damage to personal property resulting from shrinkage, evaporation, loss of weight, exposure to light or change of color, texture or flavor.
- 8. Loss or damage to property due to changes of temperature or changes in relative atmosphere, humidity where personal property is left in the open.
- 9. Loss or damage to steam boilers, pipes, turbines, or engines directly caused by bursting, rupture, cracking, or explosion originating therein.

## **Key Exclusions (Property)**: The policy excludes the following types of property:

- 1. Aircraft, watercraft and vehicles licensed for road use (except when garaged in or within 1000' of building).
- 2. Railroad rolling stock, except that of Montana Historical Society.
- 3. Land, bodies of water, standing timber, and growing crops.

#### Valuation of Property:

The lesser of replacement cost or the actual cost to repair or replacement damaged or destroyed property. With regard to loss of income, the loss incurred for the time to rebuild, replace or repair the property. For vehicles, the market value.

## **Policy Limits:**

The total limit of liability for real and personal property is the value declared by the state, currently in excess of \$2,800,000.

- \$ 1,000,000 International Property
- \$ 10,000,000 Automatic Coverage Newly Acquired Locations
- \$ 10,000,000 Service Interruption (Time Element)
- \$ 25,000,000 Transit
- \$ 50,000,000 Course of Construction
- \$ 100,000,000 Business Income (rental value included)
- \$ 100,000,000 Earthquake
- \$ 100,000,000 Flood (\$5,000,000 Flood Zone A)
- \$ 500,000,000 Blanket Limit of Liability, including accounts receivable, debris removal, electronic data processing media, and valuable papers.

#### **Deductibles:**

## State Agencies

\$1,000 per occurrence unless the agency participates in the state's high deductible program.

## Risk Management & Tort Defense Division

\$250,000 per occurrence for most perils \$500,000 per occurrence for tunnels, brides, dams, catwalks, etc. 24 hour waiting period for service interruption

## **Notice of Election**

# FY2007 Automobile Insurance Premium Discount Program Risk Management & Tort Defense Division Department of Administration

## **Purpose & General Provisions**

The Risk Management & Tort Defense Division (RMTD) offers an auto insurance premium discount of 5% for state agencies and universities that participate in defensive driving training and implement the State Vehicle Use Rule. The discount shall be applied against budgeted premium for auto insurance coverage in FY08.

## **Requirements & Documentation**

Your agency must do the following during FY07 to be eligible for the discount in FY08:

- 1) Sign and return this notice of election form to John Duezabou at RMTD by June 15, 2007.
- 2) Send 5% of employees to defensive driving training sponsored or approved by RMTD. Any state employee driver in a vehicular accident since July 1, 2003, that resulted in a claim must participate in the training. Priority should be given to employees who drive the most miles.
- 3) Require employees to read and sign the vehicle use agreement (attached to the Vehicle Use Rule—<a href="http://rmtd.mt.gov/aboutus/files/vehicleuseruleadopted.pdf">http://rmtd.mt.gov/aboutus/files/vehicleuseruleadopted.pdf</a>) or a similar agreement developed by your agency. Each agency is responsible to maintain a copy of the agreement in the employee's personnel file or other secure location.

## **RMTD Responsibilities:**

- 1) RMTD will notify your Risk Coordinator of the dates, times, and locations of training sponsored by us during FY07. The training is free of charge.
- 2) RMTD will maintain a list of all agency employees who have attended defensive driver training sponsored by us and will determine how many agency employees have attended training during FY07.
- 3) RMTD will notify each agency of approval of the discount by noting 'Discount Approved' or 'Discount Disapproved' on the bottom of this election form by July 1, 2007.
- 4) RMTD will recognize on a case-by-case basis agency participation in other safe driving courses not sponsored by the division. Agencies should consult RMTD prior to enrolling employees in such courses.

Please contact John Duezabou at (406) 444-0195 if you have any questions.

## **Termination:**

**Comments:** 

An agency may terminate its participation by providing written notice to the Risk Management & Tort Defense Division. The termination is effective as of the date of the written notice.

Notice of Election:		cleate to mouticimate in the state Auto Incomence Duomium Discount Duomium
Agency		elects to participate in the state Auto Insurance Premium Discount Program.
Agency Sig	gnature	Date:
Note: Each	state agency will be notified of th	heir eligibility for the discount by July 1, 2007 as indicated below:
□ D	Discount Approved:	
	Discount Disapproved:	

# Notice of Election FY2007 High Deductible Insurance Premium Discount Program

## Risk Management & Tort Defense Division Department of Administration

#### **Purpose & General Provisions:**

The Risk Management & Tort Defense Division (RMTD) offers a high deductible insurance premium discount on auto physical damage (comprehensive/collision) and property insurance. The purpose of the discount is to give state agencies and universities the opportunity to realize insurance premium savings through cost sharing and loss prevention.

#### **Requirements and Documentation:**

Standard deductibles for state agencies are \$250 per occurrence for auto physical damage claims and \$1,000 for property claims. In order to be eligible for a premium discount in FY2007, your agency must do the following:

1) Select an alternative deductible below (please check only one option for each line of insurance):

Elected Deductible		Premium Discount	
Auto Physical Damage Option #1	\$500	5%	
Auto Physical Damage Option #2	\$1,000	10%	
<b>Auto Physical Damage Option #3</b>	\$2,500	20%	
Property Option #1	\$2,500	5%	
Property Option #2	\$5,000	10%	

Note: By selecting one of the options above, your agency is responsible to pay claims to the deductible level selected. Agencies making no election will be assessed the standard deductible. Historical claims information may be obtained by your Risk Coordinator.

- 2) Sign and return the Notice of Election Form to Kristie Rhodes, Risk Management & Tort Defense Division by **June 15, 2006**.
- 3) Report all auto physical damage claims above \$250 and all property claims above \$1,000 to the Risk Management & Tort Defense Division for immediate evaluation regardless of deductible selected. Instructions and forms for filing claims may be found at the RMTD website <a href="http://rmtd.mt.gov/claims/agenciesreportclaims.asp">http://rmtd.mt.gov/claims/agenciesreportclaims.asp</a>.

Please contact Kristie Rhodes at (406) 444-4509 if you have additional questions.

#### **Termination:**

An agency may terminate its participation by providing written notice to the Risk Management & Tort Defense Division. The termination is effective as of the date of the written notice. This election is for FY2007 only. A separate election must be made in subsequent years.

1 7	
<b>Notice of Election:</b>	
Agency)	elects to participate in the state High Deductible Insurance Premium Discount Program.
Agency Signature)	(Date)
Note: Each state agency will be notified of the	eir eligibility for the discount by July 1, 2007 as indicated below:
☐ Discount Approved	
☐ Discount Disapproved	
Comments	

# Notice of Election Form FY2007 Property Loss Management Program

## Risk Management & Tort Defense Division Department of Administration

#### **Purpose & General Provisions:**

The Risk Management & Tort Defense Division (RMTD) offers a property insurance premium discount of 10% to agencies that establish and maintain a comprehensive and effective Property Loss Management Program. The discount shall be applied against the agency's budgeted premium for its property insurance coverage in FY08.

#### **Requirements and Documentation:**

Your agency must do the following during FY07 to be eligible for a premium discount in FY08:

- 1) Sign and return this "Notice of Election" form to Aric Curtiss, RMTD, by 06/15/06.
- 2) Submit the following written documentation to Aric Curtiss, RMTD, by June 1, 2007:
  - A schedule of preventative maintenance completed for key buildings. RMTD may verify, through subsequent audit, that
    preventative maintenance is completed according to the schedule.
  - Checklists for self-inspections completed on key buildings. RMTD may verify, through subsequent audit, that self-inspections are being conducted according to the schedule.
  - Policies and procedures for "hot works," "impairment testing of fire protection equipment," "pre-fire emergency planning," and "cold weather precautions."

All documents in #2 above should fit in a 2 ½ inch binder provided by RMTD for those agencies that elect to participate. Maintain supporting documentation, which may be verified as needed.

- 3) Submit blueprints, plans, and modifications for major renovations and new construction. RMTD and/or the state's property loss consultants will review blueprints for sprinkler density and design relative to occupancy type. Property loss management recommendations may be made with reasonable follow-up by state agencies expected.
- 4) Submit written responses to recommendations contained in Property Loss Management letters issued by RMTD and/or its consultants. Responses must indicate that your agency is making a reasonable effort to comply with the findings in the timeframes specified in the recommendations.

RMTD is looking to establish "best practice" guidelines, checklists, and criteria in all areas mentioned above, based upon the policies, procedures, guidelines, and checklists that you submit.

#### **Termination:**

tice of Election:	
	elects to participate in the state Property Loss Management Program
(Agency)	
ency Signature	Date

## **Comments:**

☐ Discount Disapproved

## **Loss Prevention**

Agency losses stem from a variety of causes, but typically fall into four broad categories:

- 1. **Damage to Property** Physical damage to aircraft, boilers & machinery, buildings, vehicles, and other state property.
- 2. Liability to Others Legal liability to others arising from negligent acts or omissions.
- 3. Loss of Income or Increased Costs Loss of revenue from income producing operations.
- 4. Workers' Compensation Claims Employee accidents and injuries.

Through effective loss prevention programs, state agencies can reduce the underlying risk factors that often precede claims or losses; thus saving tax dollars and other resources.

RMTD provides consultative services, training, on-site inspections, building construction/design review for engineering controls, and risk exposure evaluations.

Please contact our <u>Loss Prevention Staff</u> for additional information. More specific information about loss prevention may be obtained from the division's website at <a href="http://rmtd.mt.gov/safetylosscontrol/default.asp">http://rmtd.mt.gov/safetylosscontrol/default.asp</a>.

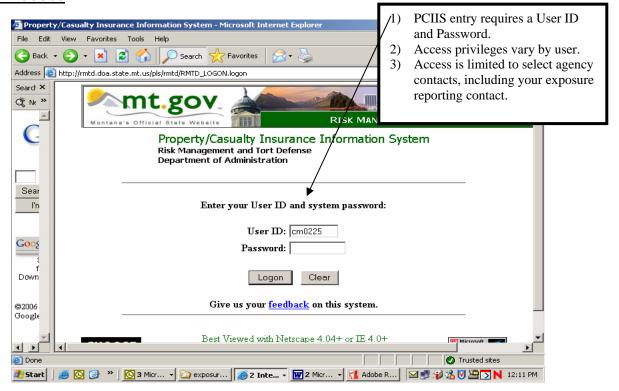
## **Risk Exposure Reporting Issues**

The state Property/Casualty Insurance Information System (PCIIS) was developed by RMTD to assist agencies to report and manage their risk exposures. Each state agency has an exposure reporting contact that has been trained by RMTD staff to enter and update its property/casualty insurance information. A list of these individuals is provided below.

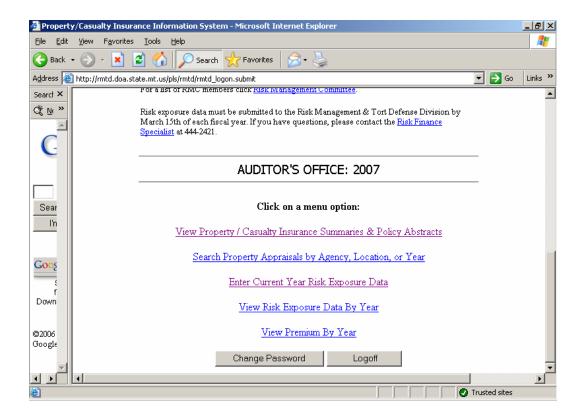
Please contact this individual if you have assets that need to be reported or assets that are 'misreported.' Changes in assets, changes in ownership, changes in values, and values /exposures that exceed insurance policy limits heretofore presented must be also be reported or insurance coverage may be affected.

BU	DEPARTMENT/AGENCY NAME	LASTNAME	FIRST NAME	EMAIL		HONE
	ADMINISTRATION	Knapp	Regina	rknapp@mt.gov		444-1920
	ADMIN-STATE FUND	Kraft	Marvin	mkraft@mt.gov		444-6505
	AGRICULTURE	Seacat	Kathy	kseacat@mt.gov		444-5408
	ARTS COUNCIL	Layne	Carleen	clayne@mt.gov		444-6489
	BOARD OF PUBLIC EDUCATION	Kerzman	Megan	mkerzman@bpe.montana.edu		444-0302
	COMMERCE	Black	Ellen	eblack@mt.gov		444-4371
	COMMERCE *OTHER CONTACT	Hoffmann	Bill	bihoffmann@mt.gov		444-3709
	COMMERCE-MT HISTORICAL SOCIETY	Smith	Karlee	karlees@mt.gov		449-6522
	COMMISSIONER OF HIGHER EDUCATION	Tobol	Laurie	Itobol@oche.montana.edu		444-0322
	COMMISSIONER OF PIGHER EDUCATION  COMMISSIONER OF POLITICAL PRACTICES	Hubbert				444-0322
			Dulcy	dhubbert@mt.gov		
	CORRECTIONS	Everhard	Tawnia	teverhard@mt.gov		444-9649
	CORRECTIONS	Schaffer	Rhonda	rschaffer@mt.gov		444-4939
	CORRECTIONS-BOARD OF PARDONS	Thomas	Craig	crthomas@mt.gov		846-1404
	CORRECTIONS-MAIN STATE PRISON *OTHER CONTACT	Nelson	Carl	canelson@mt.gov		846-1320
	CORRECTIONS-PINE HILLS SCHOOL	Stone	Jodi	jstone@mt.gov		233-2200
	DEAF AND BLIND SCHOOL	Sykes	Bill	bsykes@sdb.mt.gov		771-6002
	DPHHS	Smithson	Debbie	dsmithson@mt.gov		444-3912
	DPHHS *OTHER CONTACT	Zahn	Joyce	jzahn@mt.gov		444-0112
	DPHHS-MENTAL HEALTH NURSING CARE CENTER	Marshall	Denice	dmarshall@mt.gov		538-7451
69010	DPHHS-MONTANA CHEMICAL DEPENDENCY CENTER	McOmber	Rona	rmcomber@mt.gov	(406)	496-5402
69010	DPHHS-MT DEVELOPMENTAL CENTER	Anderson	Kim	kianderson@mt.gov	(406)	225-4440
69010	DPHHS-MT STATE HOSPITAL, WARM SPRINGS	Vacant			(406)	693-7000
69010	DPHHS-VETERAN'S HOME, COLUMBIA FALLS	Vendetti	Paul	pvendetti@mt.gov	(406)	892-3256
	DPHHS-VETERAN'S HOME, COLUMBIA FALLS *OTHER CONTACT	Babcock	Teresa	tbabcock@mt.gov	(406)	892-3256
69010	DPHHS-VETERAN'S HOME, GLENDIVE	Gaub	Gary	emvh@midrivers.com	(406)	345-8855
	ENVIRONMENTAL QUALITY	Hamer	David	dhamer@mt.gov		444-0201
53010	ENVIRONMENTAL QUALITY *OTHER CONTACT	Smith	Susie	susmith@mt.gov	(406)	444-5339
	FISH, WILDLIFE AND PARKS	Aldrich	Donna	doaldrich@mt.gov		443-5759
	FISH, WILDLIFE AND PARKS *OTHER CONTACT	Brownlee	Margaret	mbrownlee@mt.gov		443-5759
	GOVERNOR'S OFFICE	Murray	Mary Jo	mmurray@mt.gov		444-5518
	HISTORICAL SOCIETY	Campbell	Beth	bcampbell@mt.gov		444-0702
	JUDICIAL BRANCH-SUPREME COURT	Proue	Lindy	Iproue@mt.gov		444-0882
	JUDICIAL BRANCH-SUPREME COURT*OTHER CONTACT	Buska	Becky	bbuska@mt.gov		444-2698
	JUSTICE	Munro	Karen	kmunro@mt.gov		444-5712
	JUSTICE	Whitlock	Karie	kwhitlock@mt.gov		444-5845
	JUSTICE-BOARD OF CRIME CONTROL	Merritt	Don	dmerritt@mt.gov		444-2076
	LABOR AND INDUSTRY	Bokovoy				
			Brenda	bbokovoy@mt.gov		444-3431
	LEGISLATIVE BRANCH	Adams	Lenore	leadams@mt.gov		444-4456
	LEGISLATIVE BRANCH-CONSUMER COUNSEL	Shulund	Mandi	mashulund@mt.gov		444-9747
	LIVESTOCK	Harris	George	gharris@mt.gov		444-4994
	LIVESTOCK	Morgan	Twila	tmorgan@mt.gov		444-4992
	LIVESTOCK	Nick	Janet	jnick@mt.gov		444-4993
	MILITARY AFFAIRS	Revious	Karen	krevious@mt.gov		841-3330
	NATURAL RESOURCES	Williams	Jeff	jewilliams@mt.gov		444-3724
	OFFICE OF PUBLIC INSTRUCTION	Dilly	Julia	jdilly@mt.gov		444-4523
	OFFICE OF PUBLIC INSTRUCTION *OTHER CONTACT	Roth	Sioux	sroth@mt.gov		496-6085
61080	PUBLIC DEFENDER'S OFFICE	Henderson	Carleen	chenderson@mt.gov	(406)	444-4404
	PUBLIC SERVICE REGULATION	Litschauer	Staci	slitschauer@mt.gov	(406)	444-6175
58010	REVENUE	Filson	Joe	jfilson@mt.gov		444-4018
58010	REVENUE	Lang	Sandy	slang@mt.gov	(406)	444-4014
32010	SECRETARY OF STATE	Branscum	Jean	jabranscum@mt.gov	(406)	444-5596
34010	STATE AUDITOR	Olson	Patti	paolson@mt.gov	(406)	444-1867
	STATE LIBRARY	Stewart	Julie	jstewart@mt.gov		444-3384
	TRANSPORTATION	Eby	Ray	reby@mt.gov		444-7673
	TRANSPORTATION *OTHER CONTACT	Murolo	Larry	Imurolo@mt.gov		444-6163
	TRANSPORTATION *OTHER CONTACT	Buckley	Mike	mbuckley@mt.gov		444-6051
	TRANSPORTATION-AERONAUTICS	Alke	Debbie	dalke@mt.gov		444-2506
	TRANSPORTATION-EQUIPMENT/MOTOR POOL	Richman	Cheryl	crichman@mt.gov		444-6153
	US-AGRICULTURAL EXPERIMENT STATION, MSU-BOZEMAN	Shelhamer	Connie	connies@montana.edu		994-3292
	US-EXTENSION SERVICE, MSU-BOZEMAN	Rahn-Gibson		sandyrg@montana.edu		994-1792
	US-HELENA COT, UM	Fillner	Russ	fillnerr@hct.umt.edu		444-6876
	US-HELENA COT, UM	Hansmann	Debby	HansmannD@hct.umt.edu		444-6877
	US-MONTANA STATE UNIVERSITY	Shada				
			Jeff	shada@montana.edu shalverson@montana.edu		994-2711
	US-MONTANA STATE UNIVERSITY *OTHER CONTACT	Halverson	Shay			994-6888
	US-MONTANA STATE UNIVERSITY, BILLINGS	Dickson	Susan	sdickson@msubillings.edu		657-2155
	US-MONTANA STATE UNIVERSITY, NORTHERN	Caven	Sharon	caven@msun.edu		265-3509
	US-MONTANA TECH, UM	Isakson	Cathy	cisakson@mtech.edu		496-4380
	US-MONTANA TECH, UM *OTHER CONTACT	Hogart	Pam	phogart@mtech.edu		496-4250
	US-MONTANA TECH, UM *OTHER CONTACT	Ossello	Susan	Sossello@mtech.edu		496-4377
	US-MSU COT, GREAT FALLS	Binkley	Ed	Ebinkley@msugf.edu		771-4307
	US-MSU COT, GREAT FALLS *OTHER CONTACT	Baukol	Mary Ellen	mbaukol@msugf.edu		771-4321
	US-UNIVERSITY OF MONTANA	Benson	Kathy	kbenson@selway.umt.edu		243-2788
51080	US-WESTERN MONTANA COLLEGE, UM	Dale	Virginia	v dale@wmc.edu	(406)	683-7530
	•					

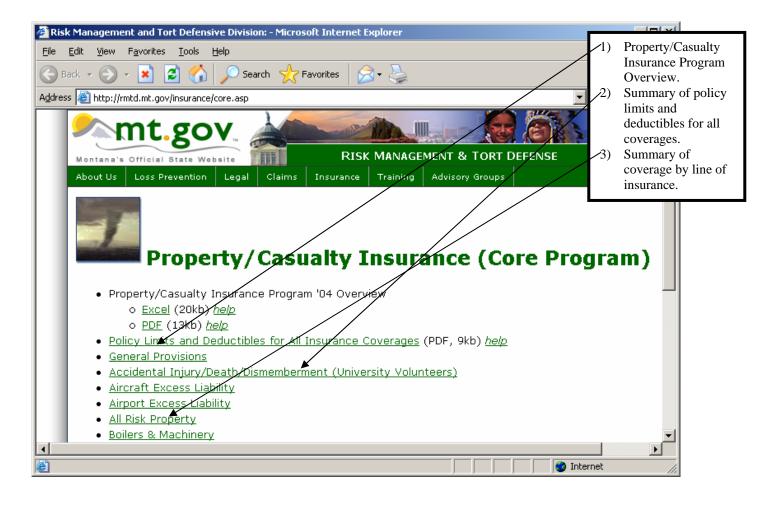
## **PCIIS Access**



## Menu Choices



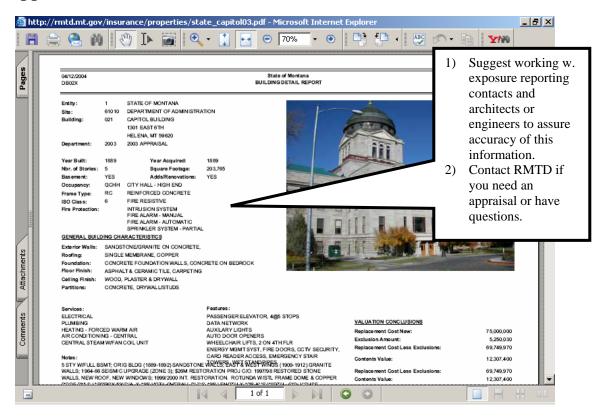
## View Property/Casualty Insurance Summaries and Policy Abstracts



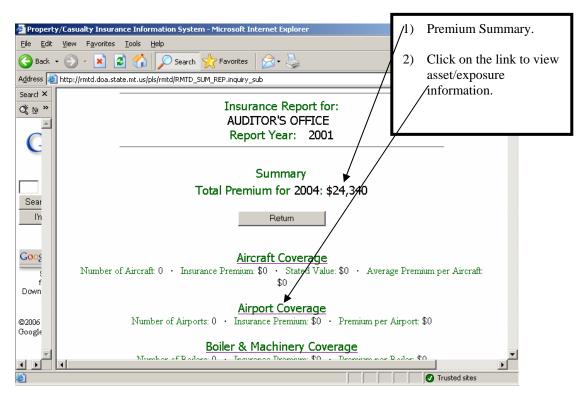
## Summary of Coverage by Line of Insurance



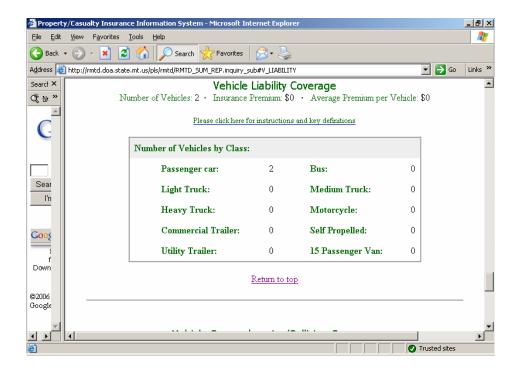
## View Appraisals



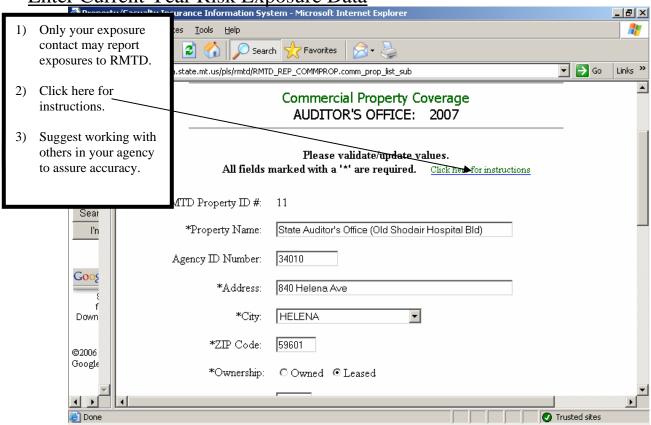
## View Risk Exposure Data by Year

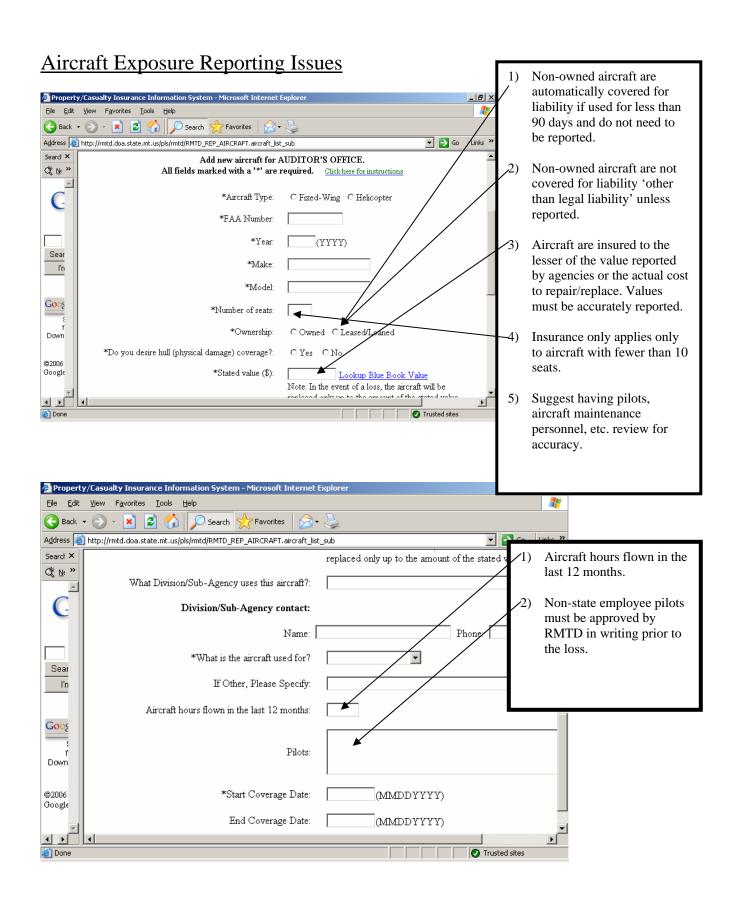


## View Exposure Data by Year

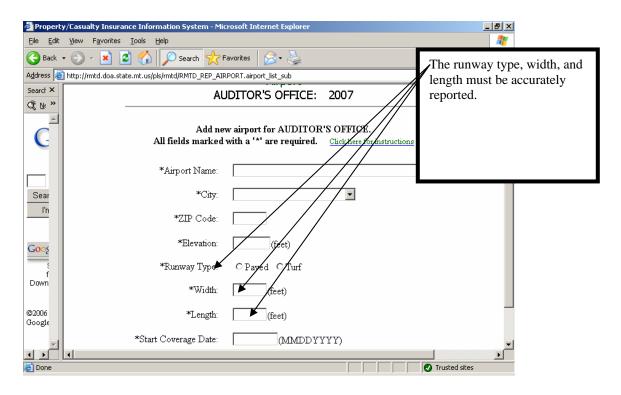


Enter Current Year Risk Exposure Data

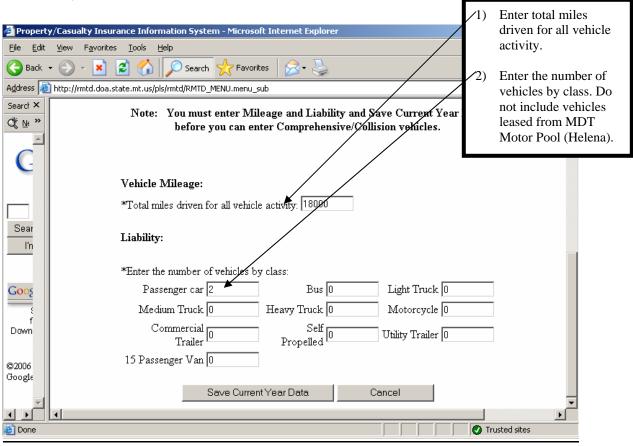




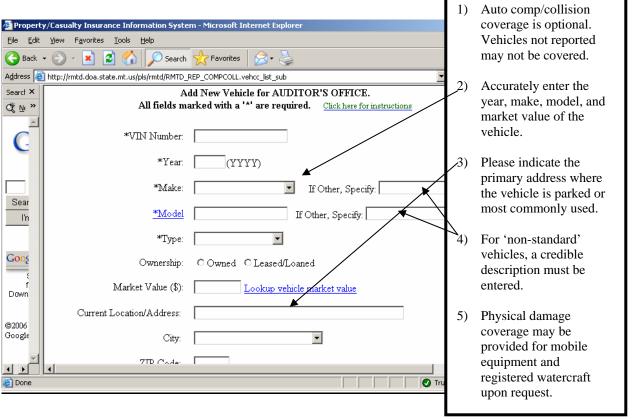
## Airport Exposure Reporting Issues



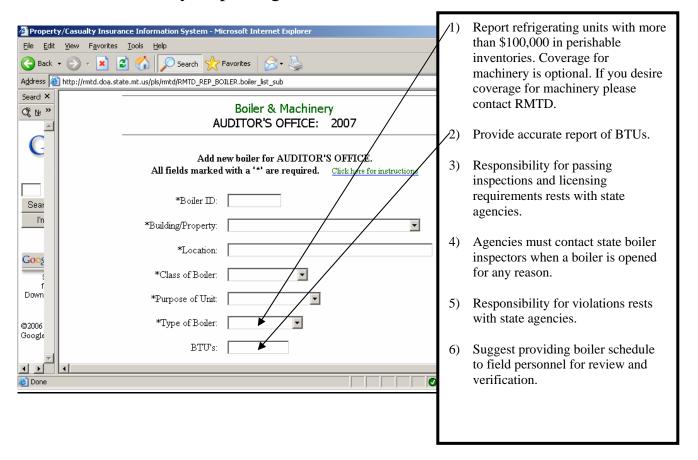
## **Auto Liability**

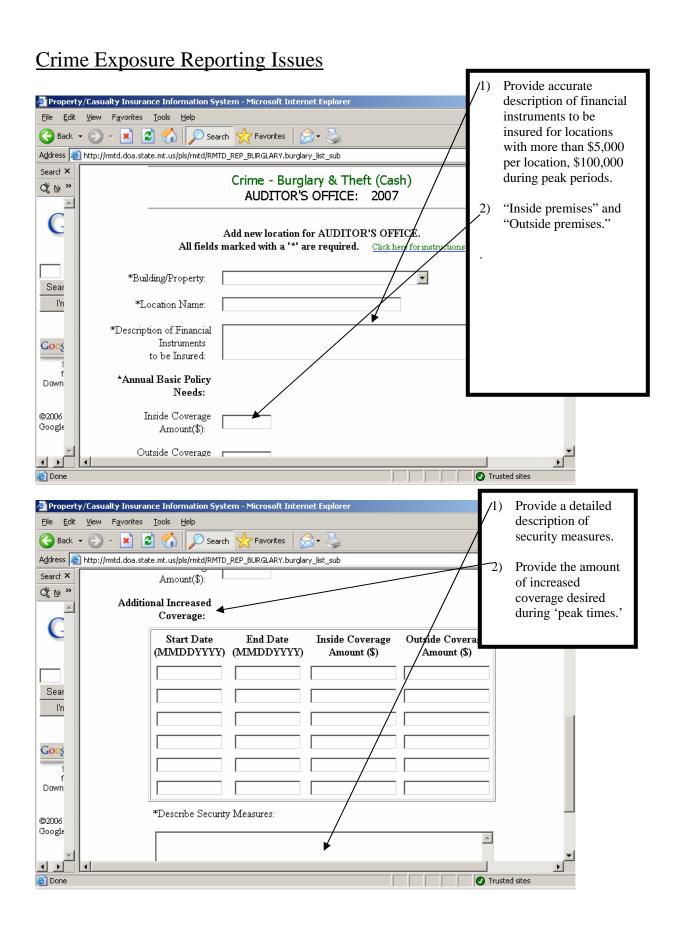


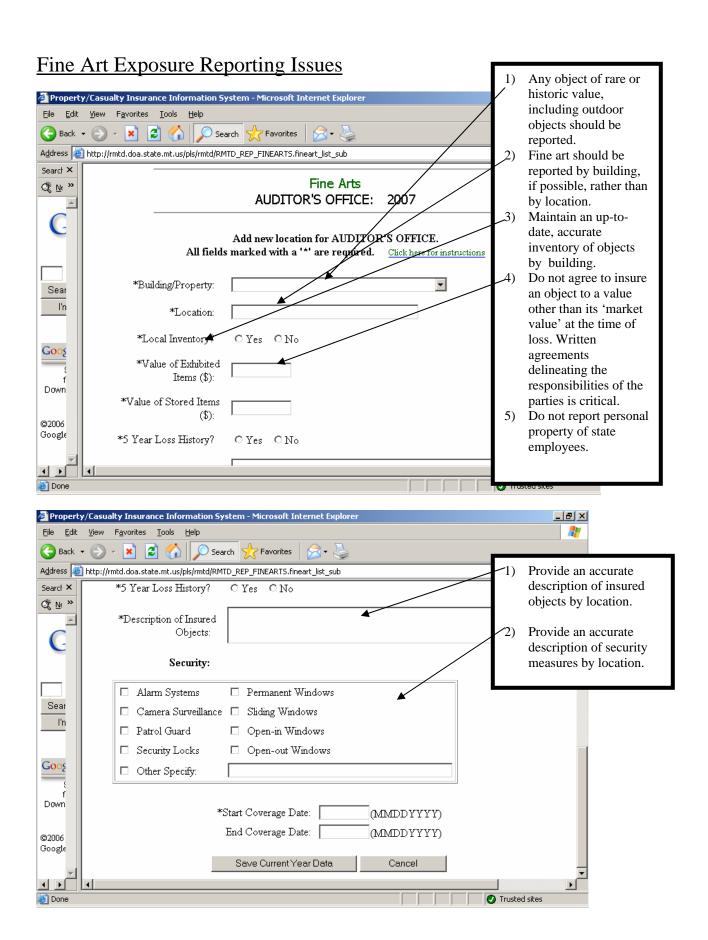
Auto Comprehensive/Collision



## **Boiler & Machinery Reporting Issues**







## General Liability Exposure Reporting Issues

None. In accordance with §2-9-305, MCA claims that arise from intentional, malicious, or criminal acts are not covered by the state self-insurance plan.

## Miscellaneous

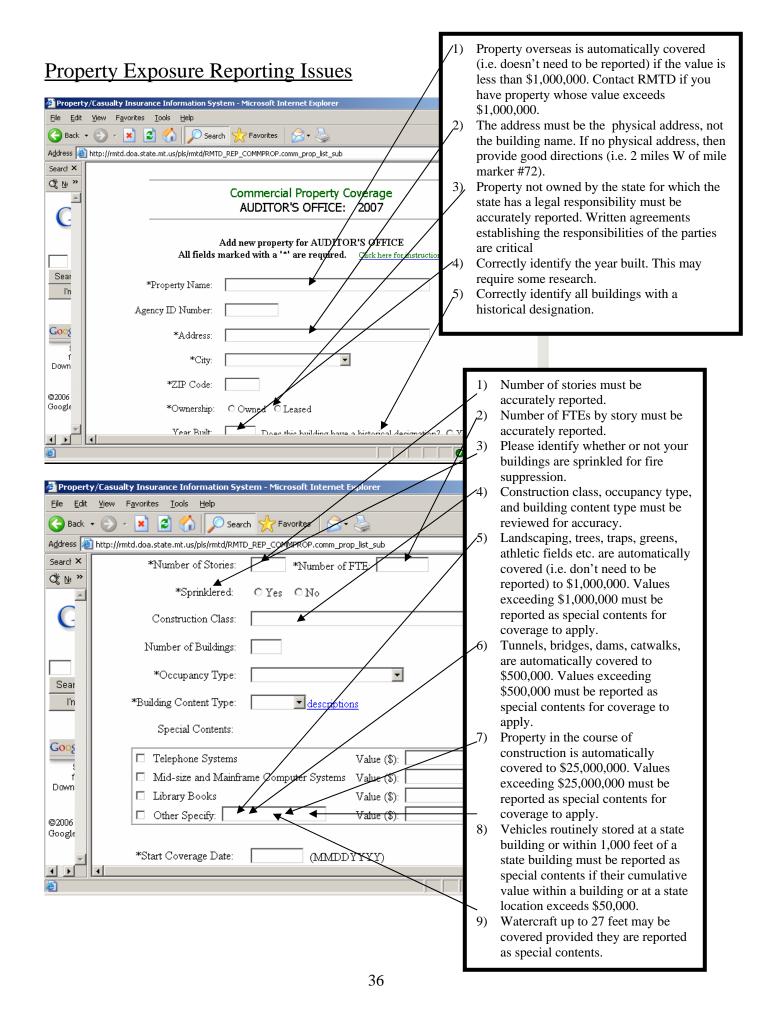
**Foreign Insurance** - applies to legal liability that may arise from negligent acts or omissions of state employees and also includes kidnap & ransom coverage. This coverage is mandatory for employees traveling outside of the U.S. and Canada.

HIPPA (Healthcare Information Privacy and Portability Act) Insurance - coverage is not provided by RMTD under the state self-insurance plan. Coverage is optional.

**Professional Liability Insurance (Student Interns)** - applies to legal liability that may arise from negligent acts or omissions of student interns outside of state government in programs sponsored by the state. Coverage is mandatory.

**Surety Bond** - applies to patient funds lost, misappropriated, or mismanaged at state institutions. Coverage is typically required by the federal government at state institutions.

Please contract Brett Dahl, Risk Management & Tort Defense Division (ext. 3687) if you have employees who travel abroad, if you sponsor or place student interns in organizations outside of state government, or if you manage institutions that are required to carry surety bonds.



## **NEW**

# Business/Income Interruption DEPARTMENT OF ADMINISTRATION: 2007

Please validate/update values.
All fields marked with a '\*' are required. Click here for instructions

## **INCOME**

Only report potential income streams that stop in the event of a catastrophic loss. Report the revenue producing operation name, description, location and total annual income by each category below.

*Revenue Producing Operation:	Cogsw ell Building Rental Ir
*Description of Operation:	Facilities management of rental properties
*Building/Property:	FWP-1404 8TH AVE
*Fees: \$	626229
*Grants: \$	626229
*Miscellaneous: \$	626229
*Permits/Fines: \$	626229
*Rent: \$	626229
*Sales of Goods: \$	626229
*Sales of Services: \$	626229
*Taxes: \$	626229
*Tuition: \$	626229
Total Income (sum of above incom categories):	

## **EXPENDITURES**

Report net cost of expenditures by each category below.

Contractual adjustments, bad debts, and free services (i.e. maintenance contracts not needed in the event of a loss): \$	463596		
Merchandise sold (i.e. annual amount sold at cost): \$			
Service(s) purchased from outsiders (not state employees) for resale which do not continue under contract (i.e. contract services such as tour guides): \$			
Supplies consisting of material consumed directly in supplying the service (i.e. paper/office products): \$			
Ordinary Payroll: \$	*Ordinary Payroll includes all employees except officers, executives, department managers, employees under contract and other important employees who are not included in prior categories whose continued employment would be required during the period of interruption.		
Other (enter description): \$		Describe:	
Total Deductions (sum of above expenditure categories): \$	*sum of above, calculated by PCIIS*		
Gross Earnings (Total Income less Total Deductions): \$	*calculated by PCIIS*		

## **Claims Reporting**

- 1. Timely and accurate reporting of claims is critical in order to protect the interests of the state and its employees. For reporting purposes, claims fall into one of three categories:
  - **a.** Vehicle-losses arising from the use of state owned, leased, or courtesy vehicles, mobile equipment, and watercraft.
  - **b. Personal Injury**-losses to 'non-state parties' arising from personal injury or property damage other than vehicles.
  - **c. Property**-losses to state property other than automobile and personal injury arising from perils such as hail, windstorm, earthquake, fire, theft, etc.
- 2. After a loss, the employee most familiar with the incident should immediately notify his/her supervisor. For auto claims, initially complete the In Case of Accident Form found in your vehicle as a basis for completing the Report of Incident form. For all other claims, complete the Report of Incident Form only. The immediate supervisor reviews the Report of Incident to assure that it is accurately completed, signed, and dated by the employee. Forms may be found on the Risk Management & Tort Defense Division's website.
- 3. Any catastrophic property loss or loss which involves a fatality or bodily injury, should be telephoned by the employee or immediate supervisor to Risk Management and Tort Defense immediately (within 24 hours).
- 4. For all other claims, the **Report of Incident** must be sent to the Risk Management and Tort Defense Division within 5 business days.
- 5. Timely reporting of claims is necessary to assure that the interest of the state and its employees are protected. Any claim that is not reported within a reasonable time may be denied. In most instances, two weeks would be considered a reasonable time. Claims that are not reported within 60 days may not be paid.
- 6. Copies of the **Report of Incident** form shall be distributed as follows:

## **ORIGINAL**

Risk Management and Tort Defense Division 1625 11th Avenue P.O. Box 200124 Helena, MT 59620-0124

#### COPY

Department of Transportation, Organizational Development Bureau for claims involving motor pool vehicles.

- 7. Incident reports should contain only factual information. State personnel who are completing the reports should exercise caution not to place blame on other state employees or admit liability.
- 8. Do not furnish information on claims or lawsuits to unauthorized persons other than law enforcement officials.

  Obtain names and address of witness. Refer all other questions to the Risk Management & Tort Defense Division.
- 9. In the event of a claim involving theft of money, securities, or other property, notify the police immediately, call the risk manager, and report the loss as soon as possible.
- 10. Claimants should be directed to send a letter, detailing the claim and any mitigating circumstances along with estimates of damage, to the Risk Management & Tort Defense Division. The claim will be evaluated within 120 days as required by statute.

Please contact our <u>Claims Staff</u> if you have additional questions. More specific information about claims may be obtained from the division's website at <a href="http://rmtd.mt.gov/claims/default.asp">http://rmtd.mt.gov/claims/default.asp</a>.